

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION

IN RE: \* CASE NO: 09-32156-JPS  
STACEY YORK A/K/A \* CHAPTER 13  
STACEY FLOYD YORK, \*  
DEBTOR \*

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NOTICE OF MODIFICATION OF PLAN PRIOR TO CONFIRMATION

THE ABOVE NAMED DEBTOR (S) HAS FILED PAPERS WITH THE COURT TO MODIFY THE CHAPTER 13 PLAN FILED IN THIS CASE.

YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. (IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.)

IF YOU DO NOT WANT THE COURT TO GRANT THE MODIFICATION, OR IF YOU WANT THE COURT TO CONSIDER YOUR VIEWS ON THE MODIFICATION, THEN ON OR BEFORE 20 DAYS FROM THE DATE SET OUT BELOW, YOU OR YOUR ATTORNEY MUST FILE WITH THE COURT AN OBJECTION TO THE MODIFICATION EXPLAINING YOUR POSITION AT: U.S. BANKRUPTCY COURT, CLERK'S OFFICE, 433 CHERRY STREET, MACON, GEORGIA 31202.

IF YOU MAIL YOUR OBJECTION TO THE COURT FOR FILING, YOU MUST MAIL IT EARLY ENOUGH SO THE COURT WILL RECEIVE IT WITHIN 21 DAYS AFTER THE DATE STATED BELOW.

A COPY OF ANY OBJECTION MUST ALSO BE MAILED TO THE RHYMER LAW FIRM, P. O. BOX 81028, CONYERS, GEORGIA 30013 AND ALSO A COPY TO THE CHAPTER 13 TRUSTEE'S OFFICE, P. O. BOX 954, MACON, GEORGIA 31202 AND UPON ALL OTHER PERSONS OR ENTITIES LISTED ON THE CERTIFICATE OF SERVICE ATTACHED TO THIS PLEADING.

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE MODIFICATION AND MAY ENTER AN ORDER ALLOWING IT.

THE CONFIRMATION ORIGINALLY SCHEDULED FOR MARCH 16, 2010 WILL BE HELD BUT AT THE HEARING CONFIRMATION WILL BE CONTINUED TO APRIL 13, 2010 AT 2:00 PM IN THE COURTROOM OF THE US COURTHOUSE IN ATHENS, GEORGIA. ANY OBJECTION TO THE CHAPTER 13 PLAN ON THIS MODIFICATION WILL BE HEARD AT THE CONFIRMATION HEARING.

THIS 5th DAY OF March, 2010.

/s/ William Rhymer  
WILLIAM RHYMER  
Attorney for Debtor(s)  
Georgia State Bar No. 602450

Rhymer Law Firm  
P. O. Box 81028  
Conyers, GA 30013  
(770) 918-8000

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DEBTOR \*

FIRST AMENDED PLAN

Stacey York, Debtor, having filed the initial Plan on January 17, 2010,  
hereby amends the Plan in this case as follows:

The Initial Plan is deleted in its' entirety and in lieu thereof substitutes the  
First Amended Chapter 13 Plan attached hereto and incorporated herein as  
Exhibit A.

This 5th day of March, 2010

/s/ William Rhymer  
WILLIAM RHYMER  
Attorney for Debtor(s)  
Georgia State Bar No. 602450  
P.O. Box 81028  
Conyers, GA 30013  
(770)918-8000

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION

DEBTOR: Stacey York  
SS#: XXX-XX-5480

\* Chapter 13  
\* Case No.09-32156-JPS

**FIRST AMENDED CHAPTER 13 PLAN**

1. The future earnings of the debtor(s) are submitted to the supervision and control of the trustee and the debtor(s) (or the debtor's (s') employer) shall pay to the trustee the sum of \$ **718.00** weekly/~~bi-weekly~~/semi-monthly/monthly. (If the payments change over time include the following.) These plan payments change to \$ \_\_\_\_\_ weekly/bi-weekly/semi-monthly/monthly on \_\_\_\_\_, 20 \_\_\_\_\_. (Via payroll deduction from **TY Cobb Healthcare**.)

2. From the payments so received, the trustee shall make disbursements as follows:

(a) The trustee percentage fee as set by the United States Trustee.

(b) The monthly payments will be made on the following long-term debts: (Payments which become due after the filing of the petition but before the month of the first payment designated here will be added to the pre-petition arrearages claim.)

NAME OF CREDITOR	MONTH OF FIRST PAYMENT UNDER PLAN	MONTHLY PAYMENT AMOUNT
<b>Bank of America</b>	<b>March 1,2010</b>	<b>\$916.00</b>

(c) Preconfirmation adequate protection payments will be made to the following secured creditors and holders of executory contracts after the filing of a proof of claim by the creditor. These payments will be applied to reduce the principal of the claim.

NAME OF CREDITOR	ADEQUATE PROTECTION AMOUNT
<b>American General</b>	<b>\$25.00</b>
<b>Badcock Home Furnishing</b>	<b>\$25.00</b>

(d) Attorney fees ordered pursuant to 11 U.S.C. § 507(a)(2) of \$ **2500.00** to be paid in accordance with the courts administrative orders.

(e) After confirmation of the plan, the secured creditors with allowed claims will be paid as follows:

NAME OF CREDITOR	AMOUNT DUE	VALUE	INTEREST RATE	COLLATERAL	MONTHLY PAYMENT AMOUNT
<b>American General</b>	<b>\$4,292.00</b>	<b>\$2,500.00</b>	<b>6.0%</b>	<b>Furnace &amp; A.C.</b>	<b>\$ 96.00</b>
<b>Badcock Home Furnishing</b>	<b>\$1,317.00</b>	<b>\$ 800.00</b>	<b>6.0%</b>	<b>Mattress &amp; Furniture</b>	<b>\$100.00</b>

f) After the above are paid, distributions will be made to unsecured creditors and other secured debts whose claims are duly proven and allowed as follows

NAME OF CREDITOR	ESTIMATED AMOUNT DUE	VALUE	INTEREST RATE	COLLATERAL
<b>Bank of America</b>	<b>\$7,500.00</b>	<b>(arrears)</b>	<b>Contract</b>	<b>Residence</b>

(g) The following collateral is surrendered to the creditor:

NAME OF CREDITOR	DESCRIPTION OF COLLATERAL
<b>1<sup>st</sup> Franklin Financial</b>	<b>1997 Ford</b>

(h) The following domestic support obligations will be paid over the life of the plan as follows: (These payments will/will not be made simultaneously with payment of the secured debt and will/will not include interest at the rate of \_\_\_\_%. Interest can only be included if the plan is proposing to pay all claims in full.)

NAME OF CREDITOR	PAYMENT AMOUNT

(i) The following unsecured claims are classified to be paid at 100%. These payments will/will not be made simultaneously with payment of the secured debt:

(j) All other 11 U.S.C. § 507 priority claims, unless already listed under 2(g), will be paid in full over the life of the plan as funds become available in the order specified by law.

(k) The debtor(s) will be the disbursing agent on the following debts: **NONE**

(l) Special provisions: **The Debtor's plan provides that the nonpurchase nonpossessory liens on the Debtor's household goods held by the following creditors shall be avoided upon confirmation of the plan and extinguished upon completion of the case: Security Finance & 1<sup>st</sup> Franklin Financial.**

**The Debtor's plan provides that pursuant to 11 USC 1301 the cosigned debt to Pinnacle Bank is to be placed in a special class and paid with contract interest on the total amount owed. The debt shall be paid along with the secured creditors at the rate of \$100.00 per month.**

(m) General unsecured creditors whose claims are duly proven and allowed will be paid

(1) 0 % dividend or a prorata share of \$ 0, whichever is greater; or

(2) the debtor(s) will make payments for \_\_\_\_\_ months and anticipated a dividend of \_\_\_\_\_ %

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DEBTOR \*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached was sent (1) via electronic notice to parties who are ECF Filers and Consenting Users. (2) via electronic notice to ECF Filers and Consenting Users who represent parties and (3) mailed postage prepaid to all other interested parties at their addresses shown below:

Via U.S. Mail

Stacey York  
447 Speedway Rd.  
Hartwell, GA 30643

(All Scheduled Creditors Listed on  
Attached Matrix.

Via Electronic Notice

Camille Hope, Trustee

This 5th day of March, 2010.

Respectfully Submitted,

P. O. Box 81028  
Conyers, GA 30013  
(770) 918-8000

/s/ William Rhymer  
William Rhymer  
Attorney for Debtor(s)  
Georgia State Bar No. 602450

1st Franklin Financial  
376 East Howell St.  
Hartwell, GA 30643

American General Finance  
P.O. Box 742536  
Cincinnati, OH 45274

Badcock Home Furnishing  
203 N. Thomas St.  
Elberton, GA 30635

Bank of America  
c/o BAC Home Loan Srvs., LP  
P.O. Box 650070  
Dallas, TX 75265

Bank of America  
c/o McCalla Raymer  
1544 Old Alabama Rd.  
Roswell, GA 30076

Capital One Bank  
c/o Nelson, Watson & Assoc.  
P.O. Box 1299  
Haverhill, MA 01831

Castle Credit Corp.  
c/o Asset Acceptance  
P.O. Box 2036  
Warren, MI 48090

Cobb Enterprises, LLC  
P.O. Box 558  
Royston, GA 30662

Cobb Memorial Hospital  
c/o RGL Associates  
P.O. Box 1054  
Brunswick, GA 31521

Discover Card  
P.O. Box 71084  
Charlotte, NC 28272

Elbert Memorial Hospital  
c/o Nations Recovery Center  
6491 Peachtree Blvd  
Doraville, GA 30360

FHA/HUD  
Five Points Plaza Bldg.  
40 Marietta St.  
Atlanta, GA 30303

GE Money Bk/Rec. Mgm.  
c/o Ramesh Singh  
25 SE 2nd Ave. Ste. 1120  
Miami, FL 33131

Greentree Srvc.  
332 Minnesota St.  
Saint Paul, MN 55101

Hart Communications  
P.O. Box 388  
Hartwell, GA 30643

Hart County Hospital  
P.O. Box 209  
Royston, GA 30662

Hartwell Dental Assoc.  
c/o Merchants Credit Assoc.  
4126 Clemson Blvd. Ste 1A  
Anderson, SC 29621

Household Credit  
P.O. Box 98706  
Las Vegas, NV 89193-8706

HSBC Bank  
c/o Calvary Portfolio Services  
P.O. Box 27288  
Tempe, AZ 85285

Lab Corp. of America  
c/o AMA  
P.O. Box 1235  
Elmsford, NY 10523

Lee Dental Group, OC  
30 Chandler Center  
Hartwell, GA 30643

MCI DP/Verizon  
500 Technology Dr. #300  
Weldon Springs, MO 63304-2208

MCI/Verizon  
c/o CBE Group/Payment Cntr  
P.O. Box 2038  
Waterloo, IA 50704

Piedmont Pathology Assoc.  
c/o SCA Collections  
P.O. Box 876  
Greenville, NC 27835

Pinnacle Bank  
P.O. Box 430  
Elberton, GA 30635

R.S. White MD, LLC  
461 Cook St. Ste. B  
Royston, GA 30662

SCA Collections  
P.O. Box 876  
Greenville, NC 27835

Security Financial  
204 E. Main St.  
Spartanburg, SC 29306

Shirley McClure  
3324 Ruckerville Rd.  
Elberton, GA 30635

U.S. Attorney MDGA  
Civil Div., Attn: Civil Clerk  
P.O. Box 1702  
Macon, GA 31201



Veterans Affairs  
1700 Clairmont Rd.  
Decatur, GA 30033

W. S. Badcock Corp.  
c/o Erin Overstreet  
P. O. Box 232  
Mulberry, FL 33860

William O. Tucker  
1848 MT. Olivet Rd.  
Hartwell, GA 30643